

EXECUTIVE ORDER

05-16a

September 7, 2005

WAIVER OF STATE LAW GOVERNING TRACTOR TRAILER LOADS

WHEREAS, Hurricane Katrina has devastated entire towns and cities within Alabama, Mississippi and Louisiana, including the City of New Orleans, Louisiana (the “affected States”); and

WHEREAS, hundreds of thousands of people have been left homeless and without basic necessities, and there is an immediate need for shelter for these persons that cannot be alleviated without the intervention of the fifty states; and

WHEREAS, in response the Federal Emergency Management Agency (“FEMA”), under the direction of the Secretary of the Department of Homeland Security and in coordination with state and local governments, has launched the largest emergency assistance relief effort in our nations’ history; and

WHEREAS, FEMA requests that the governors of the fifty states, in order to provide emergency assistance to the affected States, waive the enforcement of their respective state laws and regulations that govern the transport of tractor trailer loads for the limited purposes of allowing Federal Government contractors to transport mobile homes for Hurricane Katrina relief efforts, and these homes must immediately be transported through state roadways during all hours, without escorting vehicles, and irrespective of size, width and weight; and

WHEREAS, the American Trucking Association requests that the governors of the fifty states, in order to assist in the massive relief and reconstruction effort in the affected States, waive the enforcement of their respective state laws and regulations that govern the transport of tractor trailer loads transporting food, fuel, equipment and other supplies to the affected States (“collectively goods”).

Executive Order 05-16a

September 7, 2005

Page two

NOW, THEREFORE, I DONALD L. CARCIERI, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby ORDER and DIRECT as follows:

1. Effective immediately, all state laws governing the transport of tractor trailer loads specifically Title 31 Chapter 25 of the Rhode Island General Laws that governs the size, width, weight or load of tractor trailer loads are hereby waived for the limited purpose of, and only to the extent necessary to, allow Federal Government contractors or other authorized drivers to transport mobile homes and/or goods to the affected States for Hurricane Katrina relief efforts.
2. All Federal contractors or other authorized individuals driving tractor trailers to transport mobile homes and/or food, fuel, equipment and other supplies for Hurricane Katrina relief efforts through the State of Rhode Island may do so, if necessary, without escorting vehicle irrespective of size, width, and weight.
3. This waiver of State law applies to all economic requirements normally associated with interstate motor transportation, except those regulations requiring that vehicles are in safe operating condition, upon showing that such transportation is intended to benefit the affected States.
4. This waiver of State law applies to all taxes, assessments, road fees, registration fees or other charges normally required of interstate motor carriers upon a showing that such transportation is intended to benefit the affected States.
5. The size width, weight or load exemptions for oversized vehicles will be allowed on all Rhode Island Interstate highways only, with the exception of Interstate 295.
6. This Order providing for waiver of enforcement of applicable state laws and regulations that govern the transport of loads applies only where the following conditions are satisfied:

Executive Order 05-16a

September 7, 2005

Page three

- a. The driver of any such vehicle to be operated is properly licensed in his/her state of residency;
- b. The motor vehicle to be operated is properly licensed and registered in this or any other state; and
 1. The motor vehicle to be operated satisfies all motor vehicle insurance requirements or provisions of its state of registration;
 2. Proof of Insurance must be carried in the cab of the vehicle;
 3. Any vehicle operating pursuant to this Order shall be issued a statement from the person or entity authorizing the transport of mobile homes or goods certifying that the motor carrier is providing humanitarian relief to the affected States and including description of goods being transported during the time of declared emergency while it is in the State of Rhode Island. Such statement shall be carried in the cab of the vehicle and be made available for inspection upon request of any law enforcement officer.

7. This Order providing for waiver of enforcement of applicable state laws and regulations is for a period of 90 days, subject to renewal if necessary.

So Ordered:



Donald L. Carcieri

Dated: 9/7/05